

Message Text

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/031 R

DRAFTED BY: NEA/IAI:MDSTERNBERG

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EUR/CE:SSTEINER (INFO)

L/./SWHILDEN

EUR/SOV:FWILLEMS (INFO)

H:EKRIZEK (INFO)

DIST: DEPT OF JUSTICE

----- 110174

P R 200211Z DEC 75

FM SECSTATE WASHDC

TO AMEMBASSY TEL AVIV PRIORITY

INFO AMEMBASSY BONN

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E.O. 11652: N/A

TAGS: OGEN, SHUM, IS, US

SUBJECT: ALLEGED NAZI WAR CRIMINALS IN U.S.

1. INS PRESENTLY HAS UNDER INVESTIGATION 55 PERSONS, NATURALIZED AMERICAN CITIZENS AND PERMANENT RESIDENTS, AGAINST WHOM ALLEGATIONS HAVE BEEN MADE OF PARTICIPATION IN WORLD WAR II CRIMES. THE PURPOSE OF THE INVESTIGATION IS TO DETERMINE IF THERE IS SUFFICIENT EVIDENCE AGAINST THESE PERSONS TO SUBSTANTIATE THE ALLEGATIONS AND TO ENABLE THE U.S. TO UNDERTAKE PROCEEDINGS TO DENATURALIZE AND SUBSEQUENTLY DEPORT THEM.

2. THE GRAVITY OF THE ALLEGATIONS AND THE CONSIDERABLE CONGRESSIONAL AND PUBLIC INTEREST IN THE INVESTIGATIONS RE-

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QUIRE THAT THE ALLEGATIONS BE INVESTIGATED THOROUGHLY AND

PROMPTLY. SINCE IT IS BELIEVED THAT MANY POTENTIAL WITNESSES AND CORROBORATING EVIDENCE MAY BE FOUND IN ISRAEL, INS IS SENDING JANUARY 6 SAM BERNSEN, GENERAL COUNSEL, AND SAMUEL ZUTTY, CRIMINAL INVESTIGATOR, TO ISRAEL TO ADVISE THE ISRAELI AUTHORITIES OF INS NEEDS AND RELEVANT U.S. STATUTORY AND EVIDENTIARY REQUIREMENTS. (BERNSEN AND ZUTTY CAN BRIEF THE EMBASSY ON THE CASES AND THEIR REQUIREMENTS, SHOULD THE EMBASSY DESIRE.)

3. INS HAS HAD INFORMAL CONTACTS PREVIOUSLY WITH THE ISRAELI NATIONAL POLICE. HOWEVER, THE INVESTIGATION HAS NOW REACHED A POINT WHERE WE FEEL IT NECESSARY TO FORMALIZE OUR APPROACH TO THE ISRAELI AUTHORITIES. THIS MESSAGE ASKS THE EMBASSY TO TAKE ACTION IN TWO RESPECTS: 1) DELIVER THE DIPLOMATIC NOTE CONTAINED IN PARA. 4 AND 2) PROVIDE ASSISTANCE TO BERNSEN AND ZUTTY PER PARA. 5.

4. PLEASE DELIVER THE FOLLOWING NOTE TO THE ISRAELI MINISTER FOR FOREIGN AFFAIRS:

BEGIN TEXT: THE EMBASSY OF THE UNITED STATES OF AMERICA PRESENTS ITS COMPLIMENTS TO THE MINISTRY FOR FOREIGN AFFAIRS AND HAS THE HONOR TO REQUEST THE ASSISTANCE OF THE MINISTRY OF JUSTICE AND OTHER APPROPRIATE AUTHORITIES IN ISRAEL IN OBTAINING CERTAIN INFORMATION.

THE AUTHORITIES OF THE UNITED STATES HAVE BECOME AWARE OF THE FACT THAT A NUMBER OF IMMIGRANTS TO THE UNITED STATES, WHO HAVE BECOME EITHER NATURALIZED UNITED STATES CITIZENS OR PERMANENT RESIDENTS OF THE UNITED STATES, ARE THE SUBJECT OF ALLEGATIONS THAT THEY WERE INVOLVED IN THE COMMISSION OF WAR CRIMES DURING THE YEARS OF WORLD WAR II IN AREAS UNDER CONTROL OF THE GERMAN GOVERNMENT AT THAT TIME. THE NAMES OF THE 55 ALLEGED NAZI WAR CRIMINALS WITH BIOGRAPHICAL DATA, SUMMARIES OF THE ALLEGATIONS AND PHOTOGRAPHS HAVE BEEN FURNISHED TO THE ISRAELI NATIONAL POLICE.

THE EMBASSY, ON INSTRUCTIONS OF THE DEPARTMENT OF STATE, REQUESTS THE ASSISTANCE OF THE ISRAELI AUTHORITIES IN LOCATING THE INFORMATION, MATERIALS AND WITNESSES THAT MAY LIMITED OFFICIAL USE

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SUPPLEMENT, CORROBORATE OR CONTRADICT THE INFORMATION ALREADY AVAILABLE, AND TO RENDER ASSISTANCE TO THOSE REPRESENTATIVES OF THE UNITED STATES GOVERNMENT WHO WILL BE TRAVELING TO ISRAEL IN CONNECTION WITH SEEKING EVIDENCE TO AFFIRM OR CONTRADICT THE ALLEGATIONS OF WARTIME CRIMINAL ACTIVITIES PERPETRATED BY THE 55 ALLEGED NAZI WAR CRIMINALS.

WHILE IT IS DIFFICULT IN THE ABSENCE OF FURTHER INFORMATION TO INDICATE PRECISELY WHAT USE WILL BE MADE OF THE INFORMATION PROVIDED BY THE GOVERNMENT OF ISRAEL, IT IS LIKELY THAT THOSE PERSONS WITH RESPECT TO WHOM SUBSTANTIAL EVIDENCE TO CORROBORATE INVOLVEMENT IN CRIMINAL ACTS IS ADDUCED WILL BE MADE THE SUBJECT OF DENATURALIZATION AND/OR DEPORTATION PROCEEDINGS BY THE AUTHORITIES OF THE UNITED STATES.

IN VIEW OF THE GRAVITY OF THE ALLEGATIONS AND THE CONSIDERABLE INTEREST IN THE INVESTIGATIONS OF THESE ALLEGATIONS, THE EMBASSY WOULD BE GRATEFUL FOR THE EXPEDITIOUS EXAMINATION OF AVAILABLE RECORDS, EVIDENCE AND WITNESSES IN ISRAEL. THE EMBASSY WOULD LIKE TO INFORM THE MINISTRY OF JUSTICE THAT MR. SAM BERNSEN, GENERAL COUNSEL, AND MR. SAMUEL ZUTTY, CRIMINAL INVESTIGATOR OF THE UNITED STATES DEPARTMENT OF JUSTICE, IMMIGRATION AND NATURALIZATION SERVICE, WILL BE VISITING ISRAEL TO ADVISE ISRAELI OFFICIALS OF THE RELEVANT STATUTORY AND EVIDENTIARY REQUIREMENTS GOVERNING DENATURALIZATION AND DEPORTATION SO THEY MAY PROPERLY INTERROGATE POTENTIAL WITNESSES ON THE RELEVANT ISSUES. THE EMBASSY REQUESTS THE MINISTRY'S COOPERATION IN ARRANGING APPROPRIATE APPOINTMENTS AND OTHERWISE ASSISTING MESSRS. BERNSEN AND ZUTTY WITH THEIR MISSION. END TEXT.

5. BERNSEN-ZUTTY VISIT: BERNSEN AND ZUTTY WILL BE ARRIVING TEL AVIV FLIGHT TWA-800, 3:30 P.M., JANUARY 6, 1976 AND DEPARTING TEL AVIV VIA TWA 803 AT 7:20 A.M., JANUARY 21. REQUEST FOLLOWING EMBASSY ASSISTANCE:
A. ARRANGE APPOINTMENTS WITH SHMUELROSOLIO INSPECTOR GENERAL OF ISRAELI NATIONAL POLICE; MICHAEL KAPLAN, INP LIAISON WITH INTERPOL; MAJOR GERSHON LENGSELDER, HEAD LIMITED OFFICIAL USE

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INP SECTION FOR INVESTIGATION OF NAZI WAR CRIMES; AND ANY OTHER APPOINTMENTS EMBASSY AND MINISTRY OF JUSTICE DEEM APPROPRIATE.

B. PLEASE RESERVE TWO SINGLES JANUARY 6-21 AT HILTON OR EQUIVALENT HOTEL.

6. ADVISE DEPARTMENT OF APPOINTMENT SCHEDULE AND HOTEL RESERVATIONS. K
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